## **SENATE BILL No. 468**

#### DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-2.5-6-10.

 $\pmb{Synopsis:}$  Merchant's collection allowance. Reduces the retail merchant's collection allowance in current law by 50%.

Effective: January 1, 2010.

## Mrvan

January 14, 2009, read first time and referred to Committee on Tax and Fiscal Policy.





#### First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

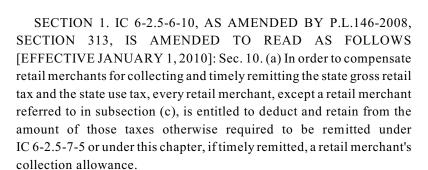
Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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### **SENATE BILL No. 468**

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:



- (b) The allowance equals a percentage of the retail merchant's state gross retail and use tax liability accrued during a calendar year, specified as follows:
  - (1) Seventy-three Thirty-seven hundredths percent (0.73%), (0.37%), if the retail merchant's state gross retail and use tax liability accrued during the state fiscal year ending on June 30 of the immediately preceding calendar year did not exceed sixty thousand dollars (\$60,000).



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1	(2) Fifty-three Twenty-seven hundredths percent (0.53%),
2	(0.27%), if the retail merchant's state gross retail and use tax
3	liability accrued during the state fiscal year ending on June 30 of
4	the immediately preceding calendar year:
5	(A) was greater than sixty thousand dollars (\$60,000); and
6	(B) did not exceed six hundred thousand dollars (\$600,000).
7	(3) Twenty-six Thirteen hundredths percent (0.26%), (0.13%),
8	if the retail merchant's state gross retail and use tax liability
9	accrued during the state fiscal year ending on June 30 of the
10	immediately preceding calendar year was greater than six hundred
11	thousand dollars (\$600,000).
12	(c) A retail merchant described in IC 6-2.5-4-5 or IC 6-2.5-4-6 is not
13	entitled to the allowance provided by this section.
14	SECTION 2. [EFFECTIVE JANUARY 1, 2010] (a) IC 6-2.5-6-10,
15	as amended by this act, applies to reporting periods beginning after
16	December 31, 2009.
17	(b) For purposes of IC 6-2.5-6-10, as amended by this act, all
18	transactions, except the furnishing of public utility, telephone or
19	related services, cable television or similar video and related
20	services, cable radio, satellite television, or satellite radio services
21	and related commodities by retail merchants described in
22	IC 6-2.5-4-5, IC 6-2.5-4-6, and IC 6-2.5-4-11, shall be considered as
23	having occurred after December 31, 2009, to the extent that
24	delivery of the property or services constituting selling at retail is
25	made after that date to the purchaser or to the place of delivery
26	designated by the purchaser. However, a transaction shall be
27	considered as having occurred before January 1, 2010, to the
28	extent that the agreement of the parties to the transaction is
29	entered into before January 1, 2010, and payment for the property
30	or services furnished in the transaction is made before January 1,
31	2010, notwithstanding the delivery of the property or services after
32	December 31, 2009.
33	(c) With respect to a transaction constituting the furnishing of
34	public utility, telephone or related services, cable television or
35	similar video and related services, cable radio, satellite television,
36	or satellite radio services and related commodities, only
37	transactions for which the charges are collected upon original

statements and billings dated after January 31, 2010, shall be

considered as having occurred after December 31, 2009.



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